

Appln. No. 09/696,114
Amendment dated August 9, 2005
Reply to Office Action of April 18, 2005

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The April 18, 2005 Office Action and the Examiner's comments have been carefully considered. In response, claims are amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

REJECTION UNDER 35 USC 112, SECOND PARAGRAPH

In the Office Action claims 124, 126-128, 130-137, 139-141, 144 and 149-167 are rejected under the second paragraph of 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In response, claim 147 is amended in a sincere effort to overcome the indefiniteness rejection to more clearly recite the data managing section.

More specifically, the "data management section" set forth in claim 147 has been amended to "data managing section" which is used throughout the claims.

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In the Office Action the Examiner states that claim 150 recites "information transmitted from the data managing section" but that the claims from which claim 150 depends are silent regarding this feature. It is respectfully pointed out to the Examiner that claim 150 depends on claim 149 and that claim 149 depends on claim 147. Claim 147 clearly states that the data managing section transmits job I.D. information to the print service station and the data storage section. Therefore, the claims upon which claim 150 depends are not silent regarding the feature as asserted by the Examiner. If the Examiner has any questions regarding this matter, he is respectfully requested to contact the undersigned at the telephone number listed below.

In view of the amendment of claim 147 and the foregoing remarks, reconsideration and withdrawal of the rejection under the second paragraph of 35 USC 112 are respectfully requested.

REJECTIONS UNDER 35 USC 103

In the Office Action claims 124, 126-128, 130-137, 139, 140, 142, 144, 145 and 147-167 are rejected under 35 USC 103 as being unpatentable over USP 4,839,829 (Freedman) in view USP 6,233,684 (Stefik et al.). Claims 141, 162 and 164 are rejected under 35

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USC 103 as being unpatentable over Freedman and Stefik et al., and further in view of USP 6,131,162 (Yoshiura et al.).

In the Office Action, the Examiner asserts that printers and copiers are old and well known, and that Freedman's print service station is a company that provides printing services for a fee (see Section 2 on page 2 of the April 18, 2005 Office Action).

In response, claim 124 is amended to recite an image forming apparatus. As described from page 158, line 21 to page 159, line 2 of the present application, an image forming apparatus shown in Fig. 15 has a book on demand (BOD) mode, a print mode and a copy mode.

In the copy mode, when the image reading section reads an image of a document carried by a user to a place so as to generate image data of the document, the image forming apparatus makes a copy of the document based on the generated image data.

In the BOD mode, when the input section inputs a print order of a user to print a copy of an ordered book, the print managing section communicates with the data service system so as to obtain image data of the ordered book from the data storage section through the network and the image forming apparatus prints a copy of the ordered book based on the obtained image data through the network, as indicated in Fig. 19.

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As stated above, in the Office Action the Examiner asserts that printers and copiers are old and well known. However, the image forming apparatus of the present claimed invention has a book publishing function in addition to a copying function and a printing function. Accordingly, the image forming apparatus of the present invention is not old and well known.

In the Office Action the Examiner also asserts with reference to the disclosure at column 5, lines 23-50 that Freedman's print service station is a company that provides printing service for a fee. However, Freedman merely teaches that a user terminal 12 and a computer may be located in the same building or building complex as the printing facility. Freedman also teaches that alternatively, the user terminal 12 may be, and preferably is, remotely located from the computer.

That is, Freedman does not disclose, teach or suggest the structure of the present claimed invention which incorporates a book publishing function and a copying function into an image forming apparatus (see claim 124, lines 9-28).

In other words, Freedman teaches away from a device which includes a book publishing function and a copying function at the same place without employing the user terminal 12 (see Fig. 16 of Freedman).

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Stefik et al. do not close the gap between the present claimed invention as defined by claim 124 and Freedman. Therefore, even if the teachings of Stefik et al. are combined with the teachings of Freedman, a person of ordinary skill in the art at the time the invention was made would not have arrived at the present claimed invention.

Claims 126-128, 130-137, 139-142, 144, 145 and 147-171 are dependent on claim 124 and are patentable over the cited references in view of their dependence on claim 142 and because the references do not disclose, teach or suggest each of the limitations set forth in the dependent claims.

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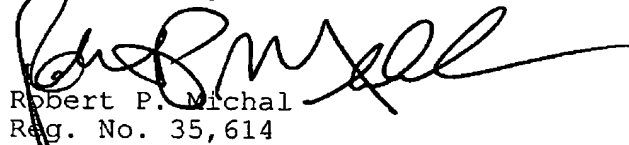
Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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Encl: Petition For Extension of Time